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(twelve pages); Ethical Conditions (eighteen pages). The volume is concluded by translations of a questionnaire of Dr. Post's and the index.

It will thus be seen that with the exception of the last single short chapter we have a descriptive account of the family institution amongst various human races. No one therefore who has carefully read this book can take an exception to the standpoint of Mrs. Parsons on moral grounds. Mrs. Parsons believes that "as a matter of fact, truly monogamous relations seem to be those most conducive to emotional and intellectual development and to health, so that, quite apart from the question of prostitution, promiscuity is not desirable or even tolerable." She has been considering in the context immediately preceding this the evils of prostitution and the dual standards of sexual morality. In view of the evils she has been discussing she merely raises the question whether it might not be better to arrange more definitely than we now do by our haphazard system, for some sort of a marriage established with the view to permanency, but which, under certain conditions, might be terminated without incurring the censure of the public, if the marriage were unsuccessful and there were no children. Whether the author really advocates this, or whether one agrees with her if she does are matters of unimportance. The family is a human institution, under human control, and any suggestion from a serious student looking toward the removal of present evils, and a substitution of a better scheme is a matter of careful consideration, and not for indiscriminate condemnation of the one who makes it.

To all those who have occasion to study the family this scholarly, modest and able treatment is to be commended. The volume should have wide use in college and university class rooms, and of that larger group of students in various associations outside.

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Prentice, E. P. *The Federal Power over Carriers and Corporations.* Pp. xi, 244. Price, \$1.50. New York: Macmillan Co., 1907.

This scholarly work covers a large and important subject with most commendable conciseness. Two of the eight chapters are notably strong, Chapter III on *Gibbons vs. Ogden*, and Chapter VII on the Anti-Trust Act. The discussion of *Gibbons vs. Ogden* brings out very clearly the precise scope and limits of Justice Marshall's famous decision. The treatment of the anti-trust law, although comprehensive, is less satisfactory.

The volume as a whole consists of an argument against the extension of the powers of the national government. From time to time throughout the book the author calls attention to the dangerous breadth being given by the federal courts to the national government. The author thinks great care should be taken to develop the powers and functions of the states. In the closing paragraph of the book he states:

"It is of great importance in all these matters, and particularly at the present time in commercial affairs, that state jurisdiction be not superseded,

but that the federal constitution be construed, as it has been, so as to prevent restrictions upon intercourse among the states; at the same time that each state is left free, so far as possible, to follow its own courses in the coming development."

The general nature of the author's arguments regarding the extension of federal power is indicated by the fact that he doubts the constitutionality of the regulation of interstate railroad rates by congress. The author's view is that the supreme court, in denying to the states the power to regulate interstate rates should, for the same reason, have denied their power to the federal government (page 136).

Mr. Prentice's views on the "trust" question are interesting, to say the least. He evidently regards the problem of monopoly and the "trust" question as relatively unimportant. He states:

"Individuals are now, as they have been, equal before the law. Competition is what it has been. There is no relaxation in the rules which forbid restraint of trade. Every person may engage in trade as he desires, and compete as he can. That his ability is limited only by his capacity, and by the extent of his resources, shows his complete freedom to overcome the competition of those who are weaker, and his danger before those who are stronger. It is mere confusion to define restraints of trade in terms of power, as the inability to compete successfully, or to attempt to apply the law which forbids restraints so as, if possible, to destroy by this provision the inequalities which other provisions create. . . . The methods of competition are the same, however, whether conducted by small or great. The question is not of methods, but of the power of competition. When a dealer of large means, able to take advantage of economics which a great business makes possible, and having also the further advantage of a wide market, competes with a dealer of small means dependent upon comparatively expensive methods and a limited market, the small competitor reaches the end of its resources first. This cannot be changed by statutes regulating competition."

The above quotation indicates the character of the author's analysis of the "trust" question. There is nothing in the book regarding the flagrant violations of law by the Standard Oil Company and other trusts, nothing as to discriminations and as to the destructive warfare of the powerful against the weak by legal and illegal methods.

Viewing the "trust" problem as the author does, it is not surprising that he believes "That state jurisdiction is adequate to reach the commercial conditions from which has arisen the current demand for trust legislation, is shown by the fact that these conditions have been brought about by recent modification of state laws." Mr. Prentice's analysis of the "trust" problem leads him to conclude that "The supreme court, in construing the statute which is based upon the power of Congress to maintain intercourse among the states, has gone to the verge of federal jurisdiction. An extension of present doctrines could be made only by sacrifice of state authority for efficient local government, and—a matter of still greater importance—by overturning long-established principles of constitutional law" (page 211).

Mr. Prentice's argument regarding the federal power leads him naturally to conclude that federal incorporation of companies doing an interstate business would be unconstitutional and would work dangerous limitations upon the powers of the states. His views regarding federal licenses are equally strong, although he does not argue the constitutional questions involved in federal incorporation of licenses.

The foregoing criticisms indicate that Mr. Prentice's excellent work has serious limitations which are doubtless the result of his close identity with certain large corporations whose activities may be more or less affected by the enforcement of the anti-trust act.

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Price, William Hyde. *The English Patents of Monopoly.* Harvard Economic Studies. Pp. xii, 261. Price, \$1.50. Boston: Houghton, Mifflin & Co., 1906.

This is a subject that has waited surprisingly long for a monographist. Of equal interest to the student of both constitutional and economic history, falling within one of those periods on which the eyes of men have been directed with especial attention, giving occasion for more than one serious crisis in the reigns of the last of the Tudors and the first of the Stuarts, the system of patents of monopoly in the sixteenth and seventeenth centuries has been described previously only by the writers of the general narrative or economic history of England. It is not so much a matter of surprise therefore that a substantial volume, the first in the series of "Harvard Economic Studies," should be devoted to this subject as that it has not been separately treated before.

Mr. Price has devoted three chapters, about one quarter of his book, to the history of the system of monopolies, their origin, the opposition to them and their abolition and regulation. Twelve more chapters, something more than another quarter of the book are given to the industrial history of as many different classes of manufacturing or mining occupations under the régime of monopoly; and the remaining half of the book to a number of original documents and to bibliographical material. The system as a whole is thus described as an historical episode, examples of the policy analyzed with a view to economic criticism of the results, and the principal contemporary proofs and exemplifications given. The author identifies the régime of monopoly, in this sense, with the period from 1550 to 1640, practically the reigns of Elizabeth, James I and Charles I. During this time industrial, financial and political conditions all favored monopolies protected by the crown, and the book is practically a study of the results of crown grants and support of these monopolies.

The contemporary sources here printed or reprinted are interesting and useful, well-chosen and well-grouped, giving to the subject a reality and